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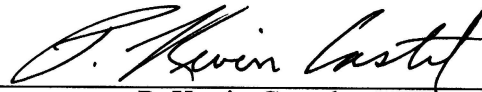
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August 14, 2023

Application GRANTED. Defendants shall respond to the Complaint by 9/7/23. The Clerk is respectfully directed to terminate the motion for entry of default judgment (ECF 18).

SO ORDERED.
8/16/2023


P. Kevin Castel
United States District Judge

VIA ECF:

Hon. P. Kevin Castel
United States District Court
Southern District of New York
500 Pearl Street
New York, NY 10007

Re: **Edward M. Von Der Schmidt aka Eddie Von Der Schmidt & Keanna Ngo v.
Tom Higgins, et. al**
Case No.: 23-cv-3919

Dear Judge Castel:

This firm represents Tom Higgins, Flavio Colella, and Silverstein Properties, d/b/a River Place Management (hereinafter "the Defendants"), in the above-referenced matter. A review of the docket shows that the next Conference is scheduled for October 13, 2023.

This firm was recently retained to represent the interests of the Defendants in this matter. Following my firm's retainer, it was discovered that Plaintiff has moved for default against defendant, Silverstein Properties, d/b/a River Place Management. Plaintiff has kindly agreed to withdraw the default with Your Honor's permission. In addition, pursuant to Your Honor's Individual Practices and Rules, we respectfully request a 30-day extension to September 7, 2023, to respond to the Plaintiff's Complaint on behalf of all three Defendants. Mr. Blackburn has consented to both requests.

Please be advised that this is the first request for an Order withdrawing the default and for the request for an extension. In addition, it should be noted that the Initial Conference is already scheduled for more than 14 days, following the time to respond to the Complaint.

Based on the foregoing, we respectfully request that our request for a withdrawal of the default motion and an extension be granted. Please do not hesitate to reach out to the undersigned with any further questions or concerns.

Respectfully submitted,

MARKS, O'NEILL, O'BRIEN,
DOHERTY & KELLY, P.C.



Kaitlyn P. Long

KPL:jg

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Hon. P. Kevin Castel

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cc: **Via Email: Tblackburn@tablackburnlaw.com**

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